



U.S. Department of Justice

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February 3, 2022

The Honorable Michael J. Roemer
United States Magistrate Judge
U.S. District Court for the Western District of New York
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: United States *ex rel.* Hannum v. YRC Freight, Inc. *et al.*, 08-cv-0811-RJA-MJR (W.D.N.Y.)

Dear Judge Roemer:

In accord with the Court's December 6, 2021 order (ECF No. 125), Plaintiff, the United States of America, and Defendants, YRC Freight, Inc., Roadway Express, Inc., and Yellow Transportation, Inc., (collectively, the "Parties") report reaching an agreement in principle to resolve this action. To facilitate negotiating the details of this agreement, the Parties respectfully request that the Court continue to stay all proceedings in this case for another sixty (60) days, up to and including April 5, 2022. As before, the Parties request that this stay include, but not be limited to, a suspension of all hearings, discovery, and of the deadlines for filing further pleadings and conducting pretrial or scheduling conferences. This is the fourth request for adjournment that the Parties have jointly requested. *See* ECFs Nos. 113, 116, 124 (requesting three sixty-day stays between June 3, 2021 and February 4, 2022).

Good cause exists to extend the stay. The Parties are engaged in productive negotiations that have resulted in an agreement in principle. The Parties are making progress towards finalizing the details of this agreement and therefore wish to continue to suspend this litigation to enable such discussions, to avoid incurring unnecessary legal fees, and to conserve judicial resources. Although the Parties anticipate finalizing the agreement within sixty days, if these discussions fail to result in a settlement, the Parties will return to the Court to request a resumption of the lawsuit and to seek a further order governing the timing of the action.

The Court has the authority to issue the proposed Order under Rule 6(b) of the Federal Rules of Civil Procedure and under its inherent authority to manage its docket. A proposed Order is attached as Exhibit A to this letter.

Your Honor's consideration is greatly appreciated.

Respectfully submitted,

TRINI E. ROSS
United States Attorney

BY: s/David M. Coriell
David M. Coriell
Assistant United States Attorney

cc: All parties and counsel of record
(via CM/ECF notification)

EXHIBIT A

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, *ex rel.*
JAMES HANNUM,

Plaintiffs,

vs.

Case No. 08-CV-0811-RJA-MJR

YRC FREIGHT, INC.; ROADWAY
EXPRESS, INC.; and YELLOW
TRANSPORTATION, INC.

Defendants.

[PROPOSED] ORDER

Upon consideration and for good cause shown, the Court hereby grants the Consent Motion to Stay Proceedings Pending Completion of Settlement Negotiations. It is therefore ORDERED that this matter be stayed for sixty (60) days from February 4, 2022, to lift on April 5, 2022.

SO ORDERED on this ____ day of _____, 2022

District Judge